

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:18-cv-01904-YY

v.

OPINION AND ORDER

KAREN J. PARK,

Defendant.

MOSMAN, J.,

On September 20, 2021, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F. & R.”) [ECF 34]. Judge You recommends that I grant the government’s Motion for Summary Judgment [ECF 25]. Objections were due on October 4, 2021, but none were filed. I agree with Judge You.

STANDARD OF REVIEW

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F. & R. to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F. & R. depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F. & R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge You's recommendations, I ADOPT her F. & R. [ECF 34] as my own opinion, and I GRANT the government's Motion for Summary Judgment [ECF 25].

IT IS SO ORDERED.

DATED this 18 day of October, 2021.

Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge